

SILAS P. RICE
CRUMMELL P. JACOBS
Complainants

vs

COLEMAN J. LIDIE, III
Respondent

* IN THE
* CIRCUIT COURT
* FOR FREDERICK COUNTY, MARYLAND
* Equity No. 29,770

* * * * *

AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

STATE OF MARYLAND, COUNTY OF WASHINGTON, TO WIT:

I HEREBY CERTIFY that on this 17th day of December, 1979, before me, the Subscriber, a notary public of the State of Maryland, in and for the county aforesaid, duly commissioned and qualified, personally appeared SILAS P. RICE, a Complainant in the foregoing proceedings, and made oath in due form of law as follows:

FIRST: That he is a Complainant in these proceedings.

SECOND: That he has personal knowledge of all the matters and facts herein set forth, all of which are true and correct to the best of his knowledge, information and belief, and that he is competent to be a witness.

THIRD: That he acquired a parcel of real estate in 1932, recorded in Liber 385, at folio 575, which real estate bounds the north-west corner of the Respondent's real estate. Additionally, he owns another parcel of ground to the north and west of the Respondent's property but which does not have any common boundary or point with said property of the Respondent, and the second said parcel was acquired in 1947 and is recorded in Liber 460, at folio 343, of the Land Records of Frederick County, Maryland.

FOURTH: That a certain road, approximately fifteen (15) feet wide, traverses from a point on Putman Road, one of the county roads, and traverses across the north-east corner of the Respondent's real estate and runs past both of your Complainant's properties hereinbefore described, and that said road runs to the Frederick City watershed property but does not connect with any road in the Frederick City watershed.